

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JONTE ANDREW WUNNER, :
Plaintiff, :
v. :
SERGEANT C. ZAYAS, SERGEANT M. :
SHENE, CORPORAL J. WILCOX, DEPUTY :
M. GORR, and DEPUTY SAWALL, :
Defendants. :
-----x

ORDER

21 CV 1865 (VB)

Plaintiff, who is incarcerated and proceeding pro se and in forma pauperis, moves for a second time for appointment of counsel. (Doc. #60).

The motion is DENIED WITHOUT PREJUDICE to renewal.

The Court understands and is sympathetic to plaintiff's situation. But the Court has considered the type and complexity of this case, the merits of plaintiff's claims, and plaintiff's ability to present the case. The Court, in its discretion, does not find exceptional circumstances in plaintiff's case warranting the appointment of counsel at this time. See 28 U.S.C. § 1915(e)(1); Cooper v. A. Sargent Co., 877 F.2d 170, 172 (2d Cir. 1989). Accordingly, plaintiff's request is DENIED WITHOUT PREJUDICE for renewal. Plaintiff should not file another motion for appointment of counsel until after discovery is complete.

To the extent plaintiff has lost legal papers or other documents, he may write to the Court or to opposing counsel to request additional copies.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: June 13, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge